IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY NINETH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 13160 of 2004

Between:

P. Gangadhar S/o Gangaram, Aged 51 years, Conductor, E.73055,
A.P.S.R.T.C., Dubbak Depot, Medak District

..... PETITIONER

AND

The Depot Manager, APSRTC., Dubbak Depot, Medak District

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction more particularly one in the nature of Writ of Mandamus declaring the suspension order No. 01/95(7)/04-DBK, dt 21-07-2004 on the file of the respondent herein in suspending the petitioner from the duties as illegal, arbitrary and against the principles of natural justice and consequently direct the respondent to permit the petitioner to continue on duty as conductor

Counsel for the Petitioner: MR.T.BHEEMSEN

Counsel for the Respondent: MR.K.HARINATH, S.C. for A.P.S.R.T.C.

The Court made the following:

ORDER:

The case of the petitioner is that he was appointed as a conductor in the Andhra Pradesh State Road Transport Corporation (for short 'the Corporation') in the year 1976 and he was suspended from duties by an order 21-07-2004 passed by the respondent alleging certain charges. Aggrieved by the same, he filed the present writ petition seeking a writ of Mandamus to declare the said order suspending the petitioner from the duties as illegal, arbitrary and against the principles of natural justice, and consequently to direct the respondent to permit him to continue on duty as a conductor.

Heard the learned Counsel for both the parties and at their request the writ petition itself is taken up for disposal at the admission stage and perused the material on record.

The learned Counsel for the respondent submitted that there is an allegation against the petitioner that he did not enter the tickets in the S.R. after issuing the same to the passengers. He further submitted that it is a matter for enquiry, which will consume time. During the pendency of the enquiry, the respondent exercised its discretion and kept the petitioner under suspension.

In the light of the facts and circumstances of the case, I am of the view that there is no illegality in the order passed by the respondent leading to a *lis* before this Court. Therefore, I am not inclined to suspend the operation of the order of suspension of the petitioner. But, in view of the circumstances explained by the petitioner, the respondent is directed to complete the enquiry and pass appropriate orders within a period of two months from the date of receipt of a copy this Order.

This writ petition is accordingly disposed of at the admission stage. No order as to costs.

29-07-2004

Note:

Office to furnish C.C. in one week.

B/o

ghn

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Depot Manager, A.P.S.R.T.C., Dubbak Depot, Medak District.
2. Two CD copies.